

October 11, 1988

Mr. James F. Ross, Director
Department of Land Conservation and Development
1175 Court Street NE
Salem, Oregon 97310

Dear Mr. Ross:

The City of Elgin has decided to seek delay of periodic review to the next review cycle, in accordance with the provisions of OAR 660-19-095(3)(a). We have reviewed this procedure with Brent Lake and, based upon our preliminary conversation, he is in agreement that it is an appropriate option for the city.

There has been no substantial change in circumstances since acknowledgment of the city's plan in 1984. The city's population has declined from 1701 in 1980 to an estimated 1675 on July 1, 1987. There have been no developments, new businesses, or other change in circumstances which need to be addressed in the plan. The plan will continue to provide adequate guidance for land use decisions for the next five or more years.

The city recently completed amendments to its zoning ordinance to implement new floodplain maps and to bring its ordinance into compliance with requirements for participation in the Federal Flood Insurance Program.

New or Revised Statutes. The city intends to make the following revisions to its ordinances to implement changes required by new statutes.

Changes will be made to the application and procedural provisions of the zoning ordinance to comply with requirements of ORS 227.175 and ORS 227.178 regarding permit procedures and requiring that final action be taken within 120 days.

Amendments to the zoning ordinance to comply with legislative provisions regarding residential care facilities will be made after the 1989 legislative session.

The city does not believe that any action is required to comply with ORS 227.180 regarding appeals or to implement the statutory provisions regarding needed housing, goal exceptions or lands available for urban development.

New or Amended goals or Rules. With regard to the new or amended goals and rules, the city has concluded that no changes in its plan are required to comply with the new or amended provisions, for the following reasons:

1. With respect to the amendments to Goal 2, and implementing rules, regarding plan amendments, and exceptions the city believes that are no plan changes are required since the city's plan contains exceptions to statewide goals.
2. With respect to Goal 5, the city included a full analysis of Goal 5 resources, a complete inventory, and a revised analysis were prepared at the very end of the acknowledgment process in the middle of 1983; it was specifically drafted to comply with the revised Goal 5 provisions. The city has concluded that the existing land use plan provisions regarding Goal 5 resources are adequate to comply with the amended goal and rule provisions.
3. With respect to Goal 9, in view of the lack of growth and the large amount of commercial and industrial vacant lands, it is obvious that the city complies with the amended provisions of Goal 9.
4. With respect to the revised Goal 10 housing provisions, the city believes the plan is in compliance therewith. The city's 1984 land use plan contains a thorough analysis of its housing stock, population projections, and vacant lands. The city documented that it could accommodate its projected year 2000 population of 2,938, and all needed housing types on vacant lands within its urban growth boundary. Nothing has occurred in the intervening period to change that conclusion.

By April 1, 1989, the city will prepare the specific amendments to its zoning code referred to above and will issue an appropriate 45-day notice of hearing and forward the same to the Department at that time.

Sincerely,

Joe Garlitz
S. ~~Jean Gowan~~
Mayor

cc: City Recorder
City Attorney
Hanley Jenkins II
Brent Lake, DLCD

ORDINANCE NUMBER _____

An ordinance amending Article 16 Ordinance; _____ Series 1983
by adding Subsections 16.06.

The City of Elgin ordains as follows:

Section 16.06 shall read:

(a) In accordance with ORS 227.178, except as provided in subsection (c) of this section, the city shall take final action upon an application for a permit or zone change, including all appeals to the council as provided by this ordinance, within 120 days after the application is deemed complete.

(b) In accordance with ORS 227.178, if an application for a permit or a zone change is incomplete the City Zoning Officer, or committee appointed by the council, shall notify the applicant of exactly what information is missing within 30 days of the receipt of the application and shall allow the applicant a reasonable opportunity to submit the missing information.

(c) In accordance with ORS 227.178, the 120 day period specified in subsection (a) hereof may be extended for a reasonable period of time at the request of the applicant. Subsection (a) shall not apply to decisions not wholly within the authority and control of the council, nor to an amendment to the comprehensive plan or a land use regulation which has been acknowledged or to the adoption of a new land use regulation that was forwarded to the Director of Department of the Land Conservation and Development under ORS 197.610(1).

PASSED AND ADOPTED THIS _____ day of _____, 1987

_____, Mayor

ATTEST: _____, City Recorder